

1  
2  
3  
4  
5  
6 **UNITED STATES DISTRICT COURT**  
7 **DISTRICT OF NEVADA**

8 BRYAN NIX, ) Case No: 2:13-cv-01305-RFB-GWF  
9 Plaintiff, )  
10 v. ) **~~Proposed~~**  
11 UNITED STATES OF AMERICA, ) **ORDER**  
12 Defendant. )  
13

14 This matter came before the Court on Defendant United States' Motion to Exclude  
15 Plaintiff's Late-Disclosed Document and Witness (ECF No. 37) ("Motion"), Plaintiff's  
16 opposition thereto (ECF No. 39), and the April 20, 2017 hearing attended by counsel of record  
17 for the parties. Having considered the matter,

18 **IT IS HEREBY ORDERED** that the Motion is **DENIED** in part as to excluding the  
19 "Timing Document" (as defined in the Motion) and witness Luke Smith of the City of  
20 Henderson, and the Motion is **GRANTED** in part as to reopening discovery.

21 **IT IS FURTHER ORDERED** that Plaintiff shall serve his final supplemental  
22 disclosure of documents, witnesses, and identity of a traffic expert witness, if any, by **May 22,**  
23 **2017.**

24 **IT IS FURTHER ORDERED** that Plaintiff shall serve his traffic expert witness'  
25 written report, if any, by **July 6, 2017.**

26 **IT IS FURTHER ORDERED** that the United States shall serve its final supplemental  
27 disclosure of documents, witnesses, identity of and written report by its traffic expert witness,  
28 if any, by **July 26, 2017.**

1           **IT IS FURTHER ORDERED** that discovery cut off is set as **August 18, 2017**.

2           **IT IS FURTHER ORDERED** that a proposed joint pretrial order is due **August 25,**  
3 **2017.**

4           **DATED:** June 6, 2017.

5  
6 

7  
8 RICHARD F. BOULWARE, II  
United States District Judge

9 Approved as reflecting the Court's ruling at the April 20, 2017 hearing,

10 STEVEN W. MYHRE  
Acting United States Attorney

YAN KENYON

11 /s/ Patrick A. Rose  
PATRICK A. ROSE  
Assistant United States Attorney  
12 *Attorneys for the United States*

13 /s/ Jay A. Kenyon  
JAY A. KENYON, ESQ.  
7881 W. Charleston Blvd., Suite 165  
Las Vegas, Nevada 89117  
14 *Attorney for Plaintiffs*